

AO 440 (Rev. 06/12) Summons in a Civil Action

UNITED STATES DISTRICT COURT  
for the  
Western District of Texas

The State of Texas	)	
	)	
	)	
	)	
Plaintiff(s)	)	
v.	)	Civil Action No. 2:23-cv-00055
U.S. Department of Homeland Security, et al.	)	
	)	
	)	
Defendant(s)	)	

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address) U.S. Border Patrol  
by registered or certified mail to:  
c/o U.S. Attorney General  
950 Pennsylvania Avenue, NW  
Washington, DC 20530-0001

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are: Ryan D. Walters

Office of the Attorney General  
Special Litigation Division  
PO Box 12548, Capitol Station  
Austin, TX 78711-2548  
ryan.walters@oag.texas.gov

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT, PHILIP J. DEVLIN

Date: 10/26/23



  
Signature of Clerk or Deputy Clerk

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Civil Action No. 2:23-cv-00055

**PROOF OF SERVICE***(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

This summons for (*name of individual and title, if any*) US Border Patrol  
 was received by me on (*date*) 10/26/2023.

- I personally served the summons on the individual at (*place*) c/o Attorney General of US  
950 Pennsylvania Avenue, NW, Washington, DC 20530-0001 on (*date*) 10/30/23; or
- I left the summons at the individual's residence or usual place of abode with (*name*) \_\_\_\_\_  
 \_\_\_\_\_, a person of suitable age and discretion who resides there,  
 on (*date*) \_\_\_\_\_, and mailed a copy to the individual's last known address; or
- I served the summons on (*name of individual*) \_\_\_\_\_, who is  
 designated by law to accept service of process on behalf of (*name of organization*) \_\_\_\_\_  
 on (*date*) \_\_\_\_\_; or
- I returned the summons unexecuted because \_\_\_\_\_; or
- Other (*specify*): \_\_\_\_\_

My fees are \$ \_\_\_\_\_ for travel and \$ \_\_\_\_\_ for services, for a total of \$ 0.00.

I declare under penalty of perjury that this information is true.

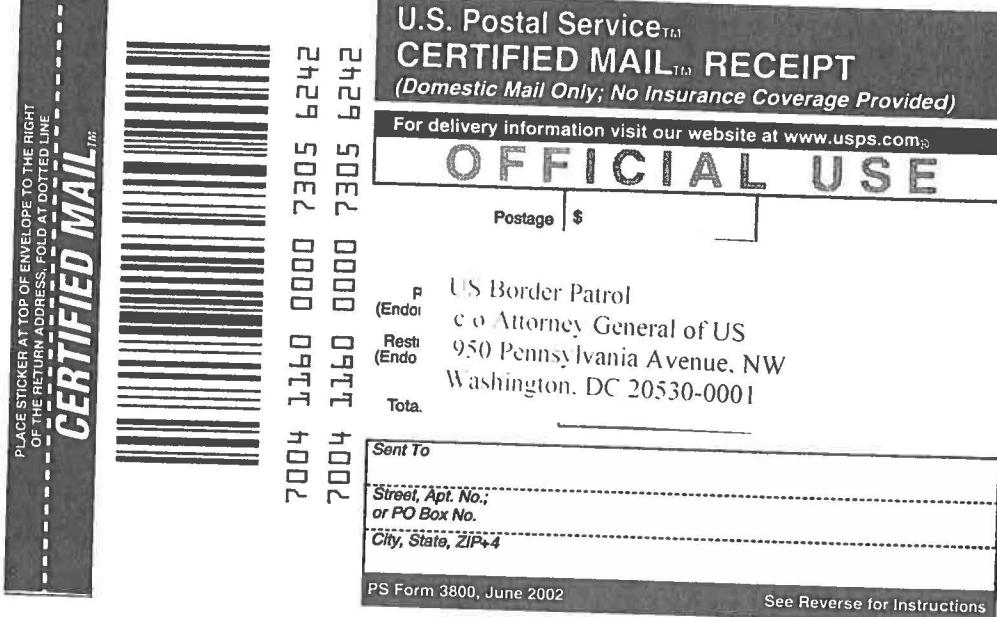
Date: 10/30/2023/s/ Ryan D. Walters*Server's signature*Ryan D. Walters, Chief for Special Litigation Division*Printed name and title*

Office of the Attorney General  
PO Box 12548, Capitol Station  
Austin, TX 78711-2548

*Server's address*

Additional information regarding attempted service, etc:

On October 27, 2023, I served this summons, Plaintiff's Original Complaint, Plaintiff's Motion for Preliminary Injunction or Stay of Agency Action and Appendix, and Plaintiff's Emergency Motion for a Temporary Restraining Order or Stay of Agency Action and Appendix; via Certified Mail, Return Receipt Requested - 7004 1160 0000 7305 6242-Delivered 10/30/23.



<b>SENDER: COMPLETE THIS SECTION</b>		<b>COMPLETE THIS SECTION ON DELIVERY</b>	
<ul style="list-style-type: none"> <li>■ Complete items 1, 2, and 3.</li> <li>■ Print your name and address on the reverse so that we can return the card to you.</li> <li>■ Attach this card to the back of the mailpiece, or on the front if space permits.</li> </ul>		<p>A. Signature <input checked="" type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>X</p> <p>B. Received by (Printed Name) C. Date of Delivery</p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p>	
<p>1. Article Addressed to:</p> <p>US Border Patrol c/o Attorney General of US 950 Pennsylvania Avenue, NW Washington, DC 20530-0001</p> <p>9590 9402 6326 0296 0612 54</p> <p>2. Article Number (Transfer from service label)</p> <p>7004 1160 0000 7305 6242</p>		<p>3. Service Type</p> <p><input type="checkbox"/> Adult Signature <input type="checkbox"/> Priority Mail Express®  <input type="checkbox"/> Adult Signature Restricted Delivery <input type="checkbox"/> Registered Mail™  <input checked="" type="checkbox"/> Certified Mail® <input type="checkbox"/> Registered Mail Restricted Delivery  <input type="checkbox"/> Certified Mail Restricted Delivery <input type="checkbox"/> Signature Confirmation™  <input type="checkbox"/> Collect on Delivery <input type="checkbox"/> Signature Confirmation  <input type="checkbox"/> Collect on Delivery Restricted Delivery <input type="checkbox"/> Restricted Delivery  <input type="checkbox"/> Domestic Mail  <input type="checkbox"/> Mail Restricted Delivery  <input type="checkbox"/> International Mail</p>	
<p>PS Form 3811, July 2020 PSN 7530-02-000-9053</p> <p>Domestic Return Receipt</p>			

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Your item was delivered to the front desk, reception area, or mail room at 5:12 am on October 30, 2023 in WASHINGTON, DC 20530.

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#### Delivered

**Delivered, Front Desk/Reception/Mail Room**

WASHINGTON, DC 20530  
October 30, 2023, 5:12 am

#### Redelivery Scheduled for Next Business Day

WASHINGTON, DC 20530  
October 29, 2023, 10:05 am

#### Arrived at Hub

WASHINGTON, DC 20018  
October 29, 2023, 9:21 am

#### Arrived at USPS Regional Facility

WASHINGTON DC DISTRIBUTION CENTER  
October 29, 2023, 1:45 am

#### Departed USPS Regional Facility

AUSTIN TX DISTRIBUTION CENTER  
October 28, 2023, 8:04 am

#### Arrived at USPS Regional Facility

AUSTIN TX DISTRIBUTION CENTER  
October 27, 2023, 11:38 pm

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## Need More Help?

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